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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

JUAN CARLOS GONZALEZ,

Defendant and Appellant.

2d Crim. No. B293514
(Super. Ct. No. 2013036881)
(Ventura County)

In 2014, Juan Carlos Gonzalez pled guilty to assault with a deadly weapon (Pen. Code,¹ § 245, subd. (a)(1)), and admitted an allegation that he inflicted great bodily injury on his victim (§ 12022.7, subd. (a)). As part of his plea, Gonzalez acknowledged that he would be required to register as a gang offender upon release from custody (§ 186.30, subds. (a) & (b)(3)). The trial court sentenced him to seven years in state prison.

¹ All unlabeled statutory references are to the Penal Code.

Four years later, Gonzalez challenged his plea's gang registration requirement in a motion to set aside the judgment. (Code Civ. Proc., § 663.) The trial court denied the motion.

In his declaration attached to the notice of appeal, Gonzalez challenges the validity of the registration requirement. But the notice states that Gonzalez is challenging the order entered August 22, 2018, denying his motion to set aside the judgment. Because the trial court denied Gonzalez's request for a certificate of probable cause, this court has jurisdiction to consider only the latter challenge. (*People v. Johnson* (2009) 47 Cal.4th 668, 678-679 [challenge to validity of plea not appealable without certificate of probable cause]; *Rounds v. Dippolito* (1949) 34 Cal.2d 59, 61 [order denying motion to set aside judgment appealable].)

We appointed counsel to represent Gonzalez in the appeal. After counsel examined the record, he filed an opening brief that raises no arguable issues. On April 9, 2019, we advised Gonzalez by mail that he had 30 days within which to submit any contentions or issues he wished us to consider. We have not received a response.

We have reviewed the entire record and are satisfied that Gonzalez's attorney fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The order (denying Gonzalez's motion to set aside the judgment) is affirmed.

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TANGEMAN, J.

We concur:

GILBERT, P. J.

YEGAN, J.

Bruce A. Young, Judge
Superior Court County of Ventura

Wayne C. Tobin, under appointment by the Court of
Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.